

### **REMARKS**

This responds to the Office Action dated February 3, 2005. Claims 1, 3, 15, and 17 have been amended herein. Claims 1-6 and 13-20 are pending in this application.

#### **Double Patenting Rejection**

Claims 1-6 and 13-20 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 4-12 and 14-33 of U.S. Patent No. 6,622,040. Applicant believes that the amendments to the claims contained herein have overcome these rejections.

#### **§102 Rejection of the Claims**

Claims 1-6 and 14-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ding et al. (U.S. Patent No. 6,622,040, "Ding"). The claims were also rejected under 35 U.S.C. § 102(f) as being not invented by the Applicant. Applicant believes that the limitations added to independent claims 1 and 15 have overcome these rejections.

#### **§103 Rejection of the Claims**

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ding et al. (U.S. Patent No. 6,622,040). Applicant respectfully traverses the rejection as Ding and the present application are commonly assigned. In view of the common ownership of present application and Ding as declared below, Applicant respectfully requests reconsideration and allowance of claim 13.

#### **Statement of Common Ownership**

Applicant declares that, at the time the present invention was made, the present application and U.S. Patent No. 6,622,040 were owned by the same entity. Since that patent could only otherwise qualify as prior art to the present application under 35 U.S.C. 102(e), (f), or (g), it is disqualified as prior art for purposes of section 103(a) under 35 U.S.C. 103(c).

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (847) 432-7302 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 7-5-05

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, MS: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of July, 2005.

Name

Signature